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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,

Plaintiffs,

v.

EDMUND G. BROWN, JR., et al.,

Defendants.

Case No. C94 2307 CW

**~~PROPOSED~~ STIPULATED ORDER
CONFIRMING UNDISPUTED
ATTORNEYS' FEES AND COSTS
FOR THE SECOND QUARTER OF
2014**

Judge: Hon. Claudia Wilken

1 On March 26, 1997, the District Court established procedures by which Plaintiffs
2 are to collect periodic attorneys' fees and costs in this case in connection with their work
3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on July 25, 2014 Plaintiffs served on Defendants their
5 Second Quarterly Statement for 2014 by overnight delivery. The parties completed their
6 meet-and-confer process on September 17, 2014 as to the fees and costs incurred on all
7 matters.

8 As a result of the September 17, 2014 agreement, the parties agree to the following:

9 The parties agree to the payment of \$737,559.03 to resolve all fees and costs
10 incurred during the Second Quarter of 2014, for monitoring and/or litigation activities in
11 the California Department of Corrections of Rehabilitation Division of Adult Operations
12 and Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are
13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
14 the parties to settle these claims.

15 The parties agree to the payment of \$40,676.35 to resolve all fees and costs incurred
16 during the Second Quarter of 2014, for monitoring and/or litigation activities in the Board
17 of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are charts
18 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the
19 parties to settle these claims.

20 The parties agree to the payment of \$129,379.78 to resolve all fees and costs
21 incurred during the Second Quarter of 2014, for monitoring and/or litigation activities in
22 the Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as
23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts
24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$63,708.72 to resolve all fees and costs incurred
26 during the Second Quarter of 2014, for activities in the County Jail Appeal portion of the
27 case. Attached hereto as **Exhibit D** are charts setting forth the fees and costs claimed by
28 Plaintiffs and the amounts agreed to by the parties to settle these claims.

1 The parties agree to the payment of \$43,436.27 to resolve all fees and costs incurred
2 during the Second Quarter of 2014, for the Accountability Appeal portion of the case.
3 Attached hereto as **Exhibit E** are charts setting forth the fees and costs claimed by
4 Plaintiffs and the amounts agreed to by the parties to settle these claims.

5 The parties agree to the payment of \$11,826.83 to resolve all fees and costs incurred
6 during the Second Quarter of 2014, for fees on fees. Attached hereto as **Exhibit F** are
7 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by
8 the parties to settle these claims.

9 IT IS HEREBY ORDERED that the amounts set forth above are due and
10 collectable as of forty-five days from the date of entry of this Order. Interest on these fees
11 and costs will run from August 25, 2014, accruing at the rate provided by 28 U.S.C.
12 § 1961.

13 DATED: 10/16/2014

14
15 

16 THE HONORABLE CLAUDIA WILKEN
17 UNITED STATES DISTRICT JUDGE

18 APPROVED AS TO FORM:

19
20 DATED: September 19, 2014

/s/ Jay M. Goldman

21 Jay M. Goldman
22 Deputy Attorney General
Attorney for Defendants

23 DATED: September 19, 2014

/s/ Blake Thompson

24 Blake Thompson
25 Rosen Bien Galvan & Grunfeld LLP
26 Attorneys for Plaintiffs
27
28

Exhibit A

Armstrong v. Brown
Second Quarterly Statement of 2014
April 1, 2014 through June 30 2014

CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
CDCR/AOAP MONITORING	\$718,731.57	\$18,827.46
	TOTAL:	\$737,559.03

\$718,731.57

Armstrong v. Brown

Second Quarterly Statement of 2014

April 1, 2014 through June 30, 2014

Costs***Matter: CDCR/AOAP Merits/Monitoring***

	Costs	Withdrawn by Plaintiffs	Costs Now Owing
<u>Rosen, Bien, Galvan & Grunfeld (581-3)</u>			
Photocopying (In house)	\$1,782.00	\$80.19	\$1,701.81
Photocopying (Outside)	\$2,183.84	\$98.27	\$2,085.57
Lexis / Westlaw	\$7.13	\$0.32	\$6.81
Online Research - PACER	\$0.10	\$0.00	\$0.10
Postage & Delivery	\$737.98	\$33.21	\$704.77
Travel - Mileage, Tolls, Food	\$4,482.94	\$201.73	\$4,281.21
Telephone	\$14.75	\$0.66	\$14.09
Interpretation and Translation Services	\$300.00	\$13.50	\$286.50
Undisputed RBGG Costs:			\$9,080.85
<u>Prison Law Office</u>			
Photocopying (In house)	\$1,823.40	\$82.05	\$1,741.35
Postage & Delivery	\$957.10	\$43.07	\$914.03
Travel - Mileage, Tolls, Food	\$7,051.00	\$317.30	\$6,733.71
Undisputed PLO Costs:			\$9,389.08
<u>Disability Rights Education & Defense Fund, Inc.</u>			
Photocopying (in-house)	\$320.40	\$14.42	\$305.98
Postage & Delivery	\$52.78	\$2.38	\$50.40
Online Research - PACER	\$1.20	\$0.05	\$1.15
Undisputed DREDF Costs:			\$357.53
TOTAL UNDISPUTED CDCR/AOAP MERITS/MONITORING COSTS:			\$18,827.46

Exhibit B

Armstrong v. Brown
Second Quarterly Statement of 2014
April 1, 2014 through June 30 2014

BPH SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
BPH	\$39,961.98	\$714.38
	TOTAL:	\$40,676.35

Armstrong v. Brown

Second Quarterly Statement of 2014

April 1, 2014 through June 30, 2014

Matter: BPH**BPH (581-4)**

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>Claimed Fees</u>	<u>Withdrawn By Pltfs</u>	<u>Undisputed Hours</u>	<u>2014 Rates</u>	<u>Total</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>							
Tom Nolan (TN)	1.00	1.00	\$550.00	0.05	0.96	\$550	\$525.25
Blake Thompson (BT)	23.20	23.10	\$10,395.00	1.04	22.06	\$450	\$9,927.23
Rolayn Tauben (RLT)	1.50	1.10	\$319.00	0.05	1.05	\$290	\$304.65
Haruka Roudebush (HR)	0.20	0.00	\$0.00	0.00	0.00	\$230	\$0.00
Total Hours:	25.90	25.20	\$11,264.00				
UNDISPUTED RBGG FEES:							\$10,757.12
<u>PRISON LAW OFFICE</u>							
Donald Specter	0.3	0.3	\$240.00	0.01	0.29	\$800	\$229.20
Sara Norman	20.7	20.7	\$12,834.00	0.93	19.77	\$620	\$12,256.47
Rana Anabtawi (RA)	42.70	42.70	\$17,507.00	1.92	40.78	\$410	\$16,719.19
Total Hours:	63.70	63.70	\$30,581.00				
UNDISPUTED PLO FEES:							\$29,204.86
TOTAL UNDISPUTED FEES FOR BPH WORK:							\$39,961.98

Armstrong v. Brown

Second Quarterly Statement of 2014

April 1, 2014 through June 30, 2014

Costs***Matter: BPH*****Rosen, Bien, Galvan & Grunfeld (581-4)**

	Costs	Withdrawn by Plaintiffs	Costs Now Owing
Photocopying (In-house)	\$4.60	\$0.21	\$4.39
Telephone	\$1.55	\$0.07	\$1.48
Travel - Mileage, Tolls, Food	\$61.34	\$2.76	\$58.58
Undisputed RBGG Costs:			\$64.45

Prison Law Office

Travel - Mileage, Tolls, Food	\$680.55	\$30.62	\$649.93
Undisputed PLO Costs:			\$649.93

TOTAL UNDISPUTED BPH COSTS:			\$714.38
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Exhibit C

Armstrong v. Brown
Second Quarterly Statement of 2014
April 1, 2014 through June 30 2014

DAPO SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
DAPO MONITORING	\$125,814.57	\$3,565.22
	TOTAL:	\$129,379.78

Armstrong v. Brown

Second Quarterly Statement of 2014

April 1, 2014 through June 30, 2014

Costs***Matter: DAPO Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-9)**

	Costs	Withdrawn by Plaintiffs	Costs Now Owing
Photocopying (in-house)	\$879.60	\$39.58	\$840.02
Photocopying (outside)	\$682.05	\$30.69	\$651.36
Lexis/Westlaw	\$9.04	\$0.41	\$8.63
Online Research - PACER and Legislative History	\$5.00	\$0.23	\$4.78
Postage & Delivery	\$6.08	\$0.27	\$5.81
Telephone	\$7.30	\$0.33	\$6.97
Interpretation and Translation Services	\$300.00	\$13.50	\$286.50
Travel - Mileage, Tolls, Food	\$1,842.58	\$82.92	\$1,759.66
			\$3,563.73
Undisputed RBGG Costs:			

Bingham McCutchen LLP

	Costs		
Photocopying (in-house)	\$0.60	\$0.03	\$0.57
Postage & Delivery	\$0.96	\$0.04	\$0.92
Undisputed BMc Costs:			\$1.49

TOTAL UNDISPUTED DAPO MONITORING COSTS:**\$3,565.22**

Exhibit D

Armstrong v. Brown
Second Quarterly Statement of 2014
April 1, 2014 through June 30 2014

COUNTY JAIL APPEAL SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
COUNTY JAIL APPEAL	\$62,566.35	\$1,142.37
	TOTAL:	\$63,708.72

Armstrong v. Brown
 Second Quarterly Statement of 2014
 April 1, 2014 through June 30, 2014
Matter: COUNTY JAIL APPEAL

County Jail Appeal (581-16)

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>Claimed Fees</u>	<u>Withdrawn By Pltfs</u>	<u>Undisputed Hours</u>	<u>2014 Rates</u>	<u>Total</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>							
Michael Bien (MWB)	12.50	12.50	\$10,000.00	0.56	11.94	\$800	\$9,550.00
Gay C. Grunfeld (GCG)	8.50	8.50	\$5,737.50	0.38	8.12	\$675	\$5,479.31
Ernest Galvan (EG)	0.20	0.20	\$130.00	0.01	0.19	\$650	\$124.15
Lisa Ellis (LAE)	79.70	77.60	\$36,472.00	3.49	74.11	\$470	\$34,830.76
Blake Thompson (BT)	0.20	0.00	\$0.00	0.00	0.00	\$450	\$0.00
Michael Friedman (MLF)	0.30	0.00	\$0.00	0.00	0.00	\$440	\$0.00
Jennifer Stark (JLS)	1.50	0.00	\$0.00	0.00	0.00	\$410	\$0.00
Jenny Yelin (JSY)	2.80	0.00	\$0.00	0.00	0.00	\$390	\$0.00
Karen Stilber (KES)	0.50	0.00	\$0.00	0.00	0.00	\$270	\$0.00
Total Hours:	106.20	98.80	\$52,339.50				
UNDISPUTED RBGG FEES:							\$49,984.22

BANCROFT PLLC

Paul Clement (PDC)	0.50	0.50	\$675.00	0.02	0.48	\$1,350	\$644.63
Zachary D. Tripp (ZDT)	10.50	10.50	\$8,925.00	0.47	10.03	\$850	\$8,523.38
Michael H. McGinley (MHM)	6.50	6.50	\$3,575.00	0.29	6.21	\$550	\$3,414.13
Total Hours:	11.00	11.00	\$13,175.00				
UNDISPUTED Bancroft FEES:							\$12,582.13

**TOTAL UNDISPUTED FEES FOR
 COUNTY JAIL APPEAL WORK:**

\$62,566.35

Armstrong v. Brown

Second Quarterly Statement of 2014

April 1, 2014 through June 30, 2014

Costs

Matter: County Jail Appeal

Rosen, Bien, Galvan & Grunfeld (581-16)

	<u>Costs</u>	Withdrawn by Plaintiffs	Costs Now Owing
Photocopying (In house)	\$192.60	\$8.67	\$183.93
Photocopying (Outside)	\$892.21	\$40.15	\$852.06
Lexis / Westlaw	\$111.04	\$5.00	\$106.04
Telephone	\$0.35	\$0.02	\$0.33

Undisputed RBGG Costs:

\$1,142.37

TOTAL UNDISPUTED COUNTY JAIL APPEAL COSTS:

\$1,142.37

Exhibit E

Armstrong v. Brown
Second Quarterly Statement of 2014
April 1, 2014 through June 30 2014

ACCOUNTABILITY APPEAL SUMMARY OF UNDISPUTED FEES AND COSTS

<u>MATTER</u>	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
ACCT. APPEAL	\$43,436.27	\$0.00
	TOTAL:	\$43,436.27

Armstrong v. Brown

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April 1, 2014 through June 30, 2014

Matter: ACCOUNTABILITY APPEAL**Acct. Appeal (581-17)**

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>Claimed Fees</u>	<u>Withdrawn By Pltfs</u>	<u>Undisputed Hours</u>	<u>2014 Rates</u>	<u>Total</u>
<u>PRISON LAW OFFICE</u>							
Warren George (WG)	14.9	14.9	\$12,814.00	0.67	14.23	\$860	\$12,237.37
Donald Specter (DS)	29.3	29.3	\$23,440.00	1.32	27.98	\$800	\$22,385.20
Rebekah Evenson (RE)	3.1	3.1	\$1,767.00	0.14	2.96	\$570	\$1,687.49
Penny Godbold (PG)	13.3	13.3	\$6,517.00	0.60	12.70	\$490	\$6,223.74
Kelly Knapp (KK)	2.1	2.1	\$945.00	0.09	2.01	\$450	\$902.48
Total Hours:	62.70	62.70	\$45,483.00				
UNDISPUTED PLO FEES:							\$43,436.27
TOTAL UNDISPUTED FEES FOR ACCT. APPEAL WORK:							\$43,436.27

Exhibit F

Armstrong v. Brown
Second Quarterly Statement of 2014
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SUMMARY OF UNDISPUTED FEES WORK AND COSTS

	<u>UNDISPUTED FEES</u>	<u>UNDISPUTED COSTS</u>
FEES WORK (ALL MATTERS)	\$11,610.89	\$215.94
TOTAL:		\$11,826.83

Armstrong v. Brown
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Matter: All Matters Fees Work

Fees (581-2)

	<u>Actual Hours</u>	<u>Claimed Hours</u>	<u>Claimed Fees</u>	<u>Withdrawn By Pltfs</u>	<u>Undisputed Hours</u>	<u>2014 Rates</u>	<u>Total</u>
<u>ROSEN, BIEN, GALVAN & GRUNFELD</u>							
Gay C. Grunfeld (GCG)	0.60	0.60	\$405.00	0.03	0.57	\$675	\$386.78
Ernest Galvan (EG)	0.50	0.00	\$0.00	0.00	0.00	\$650	\$0.00
Lisa Ells (LAE)	0.70	0.00	\$0.00	0.00	0.00	\$470	\$0.00
Blake Thompson (BT)	9.60	9.40	\$4,230.00	0.42	8.98	\$450	\$4,039.65
Glenn Baldwin (GMB)	25.80	23.40	\$5,382.00	1.05	22.35	\$230	\$5,139.81
Haruka Roudebush (HR)	0.20	0.00	\$0.00	0.00	0.00	\$230	\$0.00
Total Hours:	37.20	33.40	\$10,017.00				
UNDISPUTED RBGG FEES:							\$9,566.24
<u>PRISON LAW OFFICE</u>							
Coreen Kendrick (CK)	0.70	0.70	\$343.00	0.03	0.67	\$490	\$327.57
Edie DeGraff (ED)	4.80	4.80	\$912.00	0.22	4.58	\$190	\$870.96
Total Hours:	5.50	5.50	\$1,255.00				
UNDISPUTED PLO FEES:							\$1,198.53
<u>BINGHAM McCUTCHEN</u>							
Geoffrey T. Holtz (GH)	0.40	0.40	\$306.00	0.02	0.38	\$765	\$292.23
Total Hours:	0.40	0.40	\$306.00				
UNDISPUTED BMc FEES:							\$292.23
<u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u>							
Linda Kilb (LDK)	0.80	0.80	\$580.00	0.04	0.76	\$725	\$553.90
Total Hours:	0.80	0.80	\$580.00				
UNDISPUTED DREDF FEES:							\$553.90
TOTAL UNDISPUTED FEES FOR ARMSTRONG FEES WORK:							\$11,610.89

Armstrong v. Brown

Second Quarterly Statement of 2014

April 1, 2014 through June 30, 2014

Costs***Matter: Fees Work in All Matters*****Rosen, Bien, Galvan & Grunfeld (581-2)**

	Costs	Withdrawn by Plaintiffs	Costs Now Owing
Photocopying and Printing (in-house)	\$169.40	\$7.62	\$161.78
Telephone	\$0.85	\$0.04	\$0.81
Postage & Delivery	\$52.06	\$2.34	\$49.72
Undisputed RBGG Costs:			\$212.31

Disability Rights Education & Defense Fund, Inc.

	Costs		
Photocopying (in-house)	\$3.80	\$0.17	\$3.63
Undisputed DREDF Costs:			\$3.63

TOTAL UNDISPUTED FEES WORK COSTS :	\$215.94
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